

The York County Board of Commissioners met according to law on December 15, 2009 at 9:43 a.m. as per notice in the York News Times on December 10, 2009, with Augustus M. Brown, Jr. presiding, with Eugene Bergen, Steve Neujahr, Kurt Bulgrin and Patricia Bredenkamp. Also present were Tim Sieh, County Attorney; Melanie Wilkinson, correspondent for the York News Times and Bo Blackman representing KAWL Radio Station.

The agenda of the meeting was posted on the bulletin board in the County Clerk's office and a copy of the agenda was made available to each Commissioner.

Brown announced that the Open Meetings Law was posted outside the door and copies were available in the back of the board room. Proof of publication was also available.

The Board met with Elected Officials and Department heads prior to the regular meeting. No action was taken.

Moved by Neujahr, seconded by Bergen to approve the minutes of the York County Board of Commissioners proceedings of December 1, 2009; roll call: yeas, Neujahr, Bergen, Bulgrin, Bredenkamp, and Brown; nays, none; motion carried.

Moved by Bulgrin, seconded by Bredenkamp, to adopt the agenda; roll call: yeas, Bulgrin, Bredenkamp, Neujahr, Bergen, and Brown; nays, none; motion carried.

The Board reviewed a General Assistance Case:

Moved by Neujahr, seconded by Bulgrin to deny case #09-40 for rent in the amount of \$315.00 as they are over the income guidelines set in the General Assistance program; roll call: yeas, Neujahr, Bulgrin, Bredenkamp, Bergen and Brown; nays, none; motion carried.

The Board reviewed the payroll and vendor claims. Additional claims were to ETS Development Group for Sleuth software, \$16,282.00; Connecting Point, software, \$4,683.00; DDS, software \$592.00 and Rasmussen Mechanical Services, courthouse repairs \$2,081.42.

Moved by Bulgrin, seconded by Bredenkamp to approve payroll in the amount of \$120,053.96 and vendor claims including the number of claims presented; roll call: yeas, Bulgrin, Bredenkamp, Bergen, Neujahr and Brown; nays, none; motion carried.

<u>Fund</u>	<u>Name</u>	<u>Description</u>	<u>Total</u>
Rd	Applied Controls	Repair Parts	502.25
Gen	Bob Barker Company, Inc.	Supplies	85.45
Rd	Barrett Bros. Inc.	Repair Parts	208.95
Rd	Baum Hydraulics Corp	Shop Supplies	23.07
Gen	Blue Knight Security, Inc.	Security Contract	847.00
Gen	Marjorie Braman	Retirement	11.00
Gen	Business Telecomm. Systems	Office Equip	40.00
Aging	Lori Byers	Office Equip	139.05
Rd	Car Parts Inc.	Repair Parts	409.90
Gen	Chances R Restaurant	Juror Meals	132.49
Gen	Gary Charlton	Retirement	11.00
Gen	City Directory, Inc.	Office Supplies	136.00
Gen, Rd	City of York	Water	81.90
Gen	Connecting Point	Time clocks	4,683.00
Gen	Teresa Contatore	Mileage	26.59
Debt Serv	Cornerstone Bank	Interest Payment	25,835.00
Rd	Cornhusker Cleaning Systems Inc.	Shop Supplies	52.56
Gen, Rd	Cross-Dillon Tire	Tires	2,613.25
Gen	DDSS, Inc.	Time clocks	1,139.40
Gen	Des Moines Stamp Mfg Co	Office Supplies	31.50
Gen	Donna's Computer	Office Equip	15.00
Gen	Dugan Business Forms	Data Proc Supplies	641.97
Gen, Relief, Aging	Eakes Office Plus	Office Supplies	845.53
Rd	Fairbank Grand Island	Repair Parts	150.56
Visit. Prom	Fairway Outdoor Advertising, LLC	Billboard Rental	435.00
Rd	Farm Plan	Repair Parts	42.30
Gen	Fastenal	Building Maintenance	102.18
Gen	Fillman Law Offices	Attorney Fees	1,665.00
Vis Prom	First Bankcard	Expenditures	396.60
Gen	First Concord Benefits	Insurance	5,787.82

Data Proc	GIS Workshop	Data Proc Equip	7,000.00
Gen	Grand Central Foods	Board of Prisoners	2,147.14
Gen	Great Plains Pest Mgmt, Inc.	Building Maintenance	157.00
Gen	GT Distributors, Inc. - Austin	Safety Equip	304.90
Gen	Harry Hecht	Retirement	16.00
Gen	Hello Direct, Inc.	Office Equip	191.58
Gen	Hitz Towing, Inc.	Vehicle Maintenance	233.50
Gen	Home Care Plus	Medical-Prisoners	38.00
Gen	Hometown Leasing	Equip Rental	592.38
Gen	Houchen Bindery, Ltd.	Microfilming	300.00
Rd	Island Landhandlers, Inc.	Gravel	172.84
Gen	Jack's Uniforms & Equipment	Uniform Allowance	12.70
Rd	Jackson Services Inc.	Shop Supplies	75.62
Gen, Rd	JEO Consulting Group, Inc.	Engineering	5,603.00
Gen	JM Monograms, Inc.	Uniform Allowance	143.42
Rd	Johnson Sand & Gravel Co, Inc.	Gravel	3,991.26
Rd	Kirkham Michael Engineers	Engineering	3,175.15
Gen	Kopchos Sanitation, Inc.	Garbage	175.00
Vis Prom	The Lamar Companies	Billboard Rental	460.00
Gen	Lancaster Co Youth Services Ctr	Juvenile Care Costs	1,121.00
Gen	LaRue Distributing, Inc.	Supplies	35.98
Rd	Lawson Products, Inc.	Shop Supplies	121.37
Rd	Linweld, Inc.	Repair Parts	371.63
Gen, Rd	Loup Valley Lighting, Inc.	Building Maintenance	386.33
Rd	Lyle Signs, Inc.	Signs & Posts	879.14
Rd	Mac Tools Distributor	Shop Tools	15.98
Gen	Master's Transportation Inc.	Vehicle Maintenance	203.55
Gen, Rd	Mead Lumber & Rental-York	Equip Rental	168.35
Gen	Microfilm Imaging Systems, Inc.	Data Proc Equip	231.75
Gen, Data	MIPS Inc.	Data Proc Costs	552.63
Gen	Mogul's Transmission, Inc.	Vehicle Maintenance	470.21
Gen	Momar, Inc.	Equipment	62.74
Gen	Moore Wallace/ Donnelley Co	Office Supplies	99.90
Gen	Jeanne Morand, Court Reporter	Court Costs	731.25
Rd	Murphy Tractor	Equipment	3,500.00
Gen	Ne Assoc. of County Officials	Dues	1,599.97
Vis Prom	Ne Czechs of York	Grant	1,100.00
Gen	Ne Dept of Motor Vehicles	Court Costs	3.00
Gen, Rd	Ne Public Power District	Electricity	278.50
Gen	Ne State Bar Association	Dues	720.00
Gen	Ne State Fire Marshal	Annual Fee	120.00
Rd	Ne Truck & Equipment Co, Inc.	Repair Parts	27.75
Rd	Ne-ia Industrial Fasteners Corp	Repair Parts	59.02
Rd	Nebraskaland Glass	Repair Parts/Labor	121.94
Gen	Steve Neujahr	Mileage	88.00
Rd	Nichols Construction Co	Gravel	4,183.68
Rd	Nitro Construction Inc.	Rock	14,061.30
Rd	NMC Exchange LLC	Repair Parts	312.19
Aging	Anita Norquest	Mileage	66.00
Gen	North Office Supply	Office Supplies	47.00
Rd	O'Reilly Auto Parts	Repair Parts	42.30
Gen, Rd	Officenet	Office Supplies	70.02
Rd	Orscheln Farm and Home	Shop Supplies	59.40
Rd	Overland Sand & Gravel Co	Gravel	5,397.97
Gen	Pamida Stores Operation Co LLC	Janitorial Supplies	48.44
Rd, Vis Pro	Perennial Public Power District	Electricity	141.47
Rd	Petersen Enterprises	Repair Parts	46.70
Gen	Platte County	Reimbursement	355.00

Gen	Platte County Court	Office Supplies	16.15
Rd	Platte Valley Communications	Office Supplies	39.95
Rd	Power Plan	Repair Parts	613.39
Rd	Rasmussen Auto Parts	Repair Parts	237.93
Gen	Rasmussen Mech. Services, Inc.	Building Maintenance	2,081.42
Gen	Redfield & Company, Inc.	Office Supplies	349.00
Rd	Sahling Kenworth Inc.	Repair Parts	4.48
Gen	Don Sandman	Mileage/Meals	133.84
Rd	Sapp Bros. Petroleum, Inc.	Fuel/Oil	2,576.12
Vis Prom	Bob Sautter	Mileage	106.15
Rd	Shur-Co	Repair Parts	129.03
Inher Tax	Sleuth Software	Equipment	16,282.00
Rd	Speece Lewis Engineers	Engineering	10,500.00
Gen	Stahr and Associates	Contractual Services	1,700.00
Gen	Svehla Law Offices	Attorney Fees	7,020.00
Data Proc	Terra Scan Inc.	Data Proc Equip	4,090.00
Rd	Thermo King Christensen	Fuel	259.30
Gen	True Value/Coast to Coast	Building Maintenance	363.91
Rd	United Farmers Cooperative	Fuel	17,705.50
Gen, Rd	Verizon Wireless Services LLC	Telephone Service	400.22
Rd	Village of Bradshaw	Electricity	11.85
Vis Prom	Web Tech Solutions	Website Maintenance	15.00
Rd	Weldon Industries, Inc.	Repair Parts	23.88
Gen, 911, Rd, Relief	Windstream Communications	Telephone Service	2,933.63
Vis Prom	York Area Chamber	Grant	2,000.00
Gen	York County Clerk	Reimbursement	25.42
Gen, Rd, Weed	York County Clerk-Petty Cash	Reimbursement	1,466.40
Gen	York County Court	Court Costs	1,113.87
Vis Prom	York County Development Corp	Office Expenditures	4,925.74
Gen	York County District Court	Court Costs	273.00
Gen, Weed	York County Highway Dept	Fuel	1,980.30
Gen	York County Sheriff	Court Costs	41.20
Gen	York County Treasurer	Property Tax	74.58
Rd	York Equipment, Inc.	Repair Parts	179.36
Rd	York Farm Supply	Grader Blades	122.70
Gen, Drug	York General Hospital	Drug & Alcohol Testing	703.54
Test	York News-Times	Publication	510.45
Gen	York Printing Company, LLC	Office Supplies	105.16
Gen	York Vacuum Center	Janitorial Equip	81.43
Gen	York Wholesale Company	Board of Prisoners	910.25

Interfund transfers are necessary at this time to fund the Data Processing, Noxious Weed and Road Department budget.

Moved by Neujahr, seconded by Bergen to adopt Resolution #09-81 transferring budgeted funds in the amount of \$10,000 from the General Fund to the Data Processing fund; roll call: yeas, Neujahr, Bergen, Bulgrin, Bredenkamp and Brown; nays, none; motion carried.

RESOLUTION #09-81

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 15th day of December 2009, and discussed the fact that in the proposed budget for 09-10, the Data Processing Fund would be funded by way of interfund transfer from the Miscellaneous General Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$10,000.

NOW BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$10,000.00 budgeted dollars from the Miscellaneous General Fund to the Data Processing Fund for the budget year of 2009-2010.

Dated this 15th day of December, 2009.

Moved by Bulgrin, seconded by Bredenkamp to adopt Resolution #09-82 transferring budgeted funds in the amount of \$37,000.00 from the Miscellaneous General Fund to the Noxious Weed Fund; roll call: yeas, Bulgrin, Bredenkamp, Bergen, Neujahr and Brown; nays, none; motion carried.

RESOLUTION #09-82

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 15th day of December 2009, and discussed the fact that in the proposed budget for 09-10, the Noxious Weed Fund would be funded by way of interfund transfer from the Miscellaneous General Fund; and

WHEREAS, at this time it is necessary to transfer proposed budgeted funds in order to meet obligations in the amount of \$37,000.00.

NOW THEREFORE BE IT RESOLVED, that the York County Treasurer shall transfer the sum of \$37,000.00 budgeted dollars from the Miscellaneous General Fund to the Noxious Weed Fund for the budget year of 2009-2010.

Dated this 15th day of December, 2009.

Changes to the handbook were again discussed. Information from the County Attorney was reviewed which addressed payment of holiday pay while an employee is on workman's comp.

Moved by Bredenkamp, seconded by Neujahr to table the matter for two (2) weeks; roll call: yeas, Bredenkamp, Neujahr, Bergen, Bulgrin and Brown; nays, none; motion carried.

The Highway Superintendent proposed a Resolution requesting the State of Nebraska Board of Classifications & Standards to relax the standards on project BRO-7093 (23) Bradshaw Southeast to allow the bridge to be constructed using the HS-20 design vehicle instead of the newly adopted HL-93 design vehicle. A change in the design would push back construction, plans which would have to be updated and additional costs incurred.

Moved by Bergen, seconded by Bulgrin to adopt Resolution #09-83 requesting a relaxation of standards for project BRO-7093 (23); roll call: yeas, Bergen, Bulgrin, Bredenkamp, Neujahr and Brown; nays, none; motion carried.

RESOLUTION #09-83

WHEREAS: Certain roads in York County, Nebraska, have been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto, and,

WHEREAS: Said County desires to improve a bridge and approaches Southeast of the Village of Bradshaw in said county, and,

WHEREAS: Said county has applied for and received approval to design and construct said improvements to be known as Project No. BRO-7093(23), Control Number 41634, and,

WHEREAS: The State of Nebraska, Board of Public Roads Classifications and Standards, has developed minimum design standards for County roads, and,

WHEREAS: Said Board of Public Roads Classifications and Standards has developed a procedure for reviewing requests for relaxation of said minimum design standards, now therefore,

BE IT RESOLVED: That the Board of Commissioners of and for York County, Nebraska, hereby requests of the Board of Public Roads Classifications and Standards, a design exception which will allow them to construct said bridge as previously designed using an HS-20 design vehicle in lieu of the newly adopted HL-93 design vehicle.

BE IT FURTHER RESOLVED: That the Chairman of said County is authorized to sign this resolution on behalf of said Board of Commissioners and that the Board of Commissioners hereby approves the above request for a design exception.

Adopted this 15th day of December, 2009, at York, Nebraska.

The Board will address the contract with Connecting Point at the next regularly scheduled Board meeting.

Elected Official salaries for the year 2010 were discussed.

Moved by Bulgrin, seconded by Bredenkamp to pass Resolution #09-84 setting the salaries for 2010 for the Assessor, Clerk, Clerk of the District Court, Treasurer and Public Defender at \$50,319.68; Sheriff at \$60,145.55 and for the County Attorney \$64,046.68 which is a 2.5% increase; roll call: yeas, Bulgrin, Bredenkamp, Bergen, Neujahr and Brown; nays, none; motion carried.

RESOLUTION #09-84

WHEREAS, the salaries for elected officials are set prior to the beginning of the term, and

WHEREAS, in Resolution #57 adopted on December 20th, 2005 stated the elected officials shall receive an annual increase for the years 2008, 2009 and 2010, based on the Consumer Price Index as established by the Bureau of Labor Statistics, U.S. Department of Labor except when the CPI falls below 2.5% in any year in which case the annual adjustment will be no less than 2.5% and except when the CPI raises above 3% in any year in which case the annual adjustment will be no more than 3%. Because the CPI is at a negative %, the increase will be set at 2.5% as per resolution.

NOW THEREFORE BE IT RESOLVED, that the salary for the Assessor, Clerk, Clerk of the District Court, Treasurer and Public Defender be set at \$50,319.68; the salary for the County Sheriff be set at \$60,145.55 and the salary for the County Attorney be set at \$64,046.68 for the year 2010 to take effect January 1, 2010.

Dated and signed this 15th day of December, 2009.

The Board then addressed setting the salaries for elected officials for the term 2011 through 2014.

Moved by Bulgrin, seconded by Bredenkamp that the Board adopt a resolution that the salaries for 2010 carry over to 2011 and after that their would be an annual increase based on the Consumer Price Index not to exceed 3% and not to go below "0" (Assessor, Clerk, Clerk of the District Court, Treasurer and Public Defender receive \$50,319.68; Sheriff \$60,145.55 and Attorney \$64,046.68). After discussion, Bulgrin and Bredenkamp rescinded their motion as it was found that added wording needed to be included regarding benefits for these officials. The matter was tabled until later in the meeting.

Craig Vincent and Corey Fuehrer of Nebraska Public Power District presented information on an Energy Efficiency and Conservation Block Grant and Energy Wise Incentive Programs/Grants. These programs are for replacing 1. Lighting 2. High-Efficiency HVAC – Air Conditioners, Heat Pumps – air source and geothermal 3. Premium Efficiency Motors 4. Variable frequency Drives 5. Irrigation Systems 6. Custom Incentives.

The Board will look into the program further. No action is taken at this time.

Bob Hose of York County Adopt-A-Pet came before the Board regarding funding for the program. Legislative Bill 241 which addresses changes to the Commercial Dog and Cat Operator Inspection Act was a topic of the discussion along with the budgeted amount of \$4,000.00 which was adopted by the Board for Fiscal Year 2009-2010.

The matter will again be discussed at the next regularly scheduled meeting to be held on December 29th.

Rex Heiden, York County Surveyor, spoke with the Board regarding several issues. The Board responded as noted in the parenthesis.

1. Do you want to approve and/or be notified, of the work I do before I start a job or someone? ***(The Board advised that he could continue as he had in the past).***
2. Is it possible to put in our County Zoning that no utility shall be installed underground within 2' of a property corner or controlling monument unless the utility company has a license surveyor reference the monuments position and remonument it after construction. There currently exists State Laws that may cover this (34-201-202) but it states the notification go to the County Surveyor. I think if it involves a Government subdivision corner it should go to the County Surveyor but not all property corners. Also, can a fine be established for non-compliance? Government Corners have a fine for them by U.S. Code, Title 18, part 1, Chapter 91, Section 1858 but it no longer specifies the fine amount. \$250 was set as the fine in the 1800's. The City and Villages are also destroying property corners. ***(The Board will have the County Attorney look into the matter)***
3. Access to the survey Records, the County Clerk asked for and received my key to that office "due to the increased security procedures adopted for the courthouse". ***(The Board agreed that it was a security issue and that he would have to access the office during business hours, work toward making copies for him)***
4. Bench Marks in the County, some are being destroyed or lost, would you like me to find and protect (wood post, etc.) the existing ones. They are needed for people who live in or near flood zones for insurance and zoning purposes. The Federal Government is no longer going to maintain there old monument system. ***(The Board needs more information on cost prior to making a decision)***
5. Do you have any thoughts on what you would like improved or changed in regards to the county Surveyor or the survey records, other then what is proscribed by law? He was questioning the issue of digitizing records ***(The Board had nothing more to add)***

Gary Zoubek, York County Extension Agent came before the Board to give the Annual Report and also to request the appointment of Carrie Kadavy to replace Judy DeBuhr along with the reappointment of Kim Siebert to the Extension Board.

Moved by Bulgrin, seconded by Bredenkamp to adopt Resolution #09-86 to reappoint Kim Siebert and appoint Carrie Kadavy to a three (3) year term on the Extension Board; roll call: yeas, Bulgrin, Bredenkamp, Bergen, Neujahr and Brown; nays, none; motion carried.

RESOLUTION #09-86

WHEREAS, Kim Siebert and Judy DeBuhr's term on the York County Extension Board is set to expire; and

WHEREAS, the York County Board of Commissioners have been advised that Kim Siebert is willing to serve for another term, and further that Judy DeBuhr has declined reappointment; and

WHEREAS, Carrie Kadavy has submitted an application for appointment to the Extension Board; and further, the Board finds that she would be a suitable candidate for the position;

NOW, THEREFORE BE IT RESOLVED, that Carrie Kadavy and Kim Siebert are hereby appointed to the York County Extension Board to serve a three (3) year term commencing January 1, 2010.

Dated this 15th day of December, 2009.

The Board revisited the issue of setting the salary for elected officials.

Moved by Bulgrin, seconded by Bredenkamp to adopt Resolution #09-85 to set salaries for the York County Assessor, Clerk, Treasurer, Clerk of the District Court and Public Defender at \$50,319.68; for Sheriff, \$60,145.55 and for County Attorney, \$64,046.68 for the year 2011 and include an annual adjustment based on the Midwest Consumer Price Index, by the Bureau of Labor Statistics, U.S. Department of Labor; except when the CPI falls below "O" in any year in each case the annual adjustment will be no less that "O" and except when the CPI raises above that in any year, the annual be no greater than 3%, to include language for the County Attorney and Public Defender along with the benefits;

Moved by Neujahr, seconded by Bergen to amend the motion to set the County Attorney's salary at \$68,000; roll call: yeas, Neujahr, Bergen, Bredenkamp, Bulgrin and Brown; nays, none; motion carried.

Roll call on the amended motion to adopt Resolution #09-85 85 to set salaries for the York County Assessor, Clerk, Treasurer, Clerk of the District Court and Public Defender at \$50,319.68; for Sheriff, \$60,145.55 and for County Attorney, \$68,000.00 for the year 2011 and include an annual adjustment based on the Midwest Consumer Price Index, by the Bureau of Labor Statistics, U.S. Department of Labor; except when the CPI falls below "O" in any year in each case the annual adjustment will be no less than "O" and except when the CPI raises above that in any year, the annual be no greater than 3%, to include language for the County Attorney and Public Defender along with the benefits; roll call: yeas, Bulgrin, Bredenkamp, Bergen, Neujahr and Brown; nays, none; motion carried.

RESOLUTION #09-85

WHEREAS, the York County Board of Commissioners met on December 15, 2009 at their regular meeting to discuss and act on the salaries for the Elected Officials of York County. Notice of the hearing to consider and set salaries was given by publishing such notice in the agenda.

WHEREAS, the salaries to be set are Elected Officials of York County being as follows: York County Assessor, York County Clerk, York County Clerk of the District Court, York County Treasurer, York County Sheriff, York County Attorney and York County Public Defender.

NOW THEREFORE, BE IT RESOLVED, that the Elected Officials of York County shall receive the following salaries for the year 2011, and shall receive an increase each of the following years for the years 2012, 2013, 2014 as described below. Said increases shall take effect January 1 of each subsequent year.

(FOR THE YEAR 2011)

<u>York County Clerk, County Assessor, County Treasurer and County Clerk of the District Court:</u>	\$50,319.68
<u>York County Sheriff:</u>	\$60,145.55
<u>York County Attorney:</u>	\$68,000.00
<u>York County Public Defender</u>	\$50,319.68

(FOR THE YEARS 2012, 2013 and 2014)

Annual adjustments for 2012, 2013 and 2014 will be based on the Midwest Consumer Price Index as established by the Bureau of Labor Statistics, U.S. Department of Labor except when the CPI falls below "0" in any year, in which case the annual adjustment will be no less than "0" and except when the CPI raises above 3% in any year, in which case the annual adjustment will be no more than 3%.

In addition to and in consideration of the above salaries, the following will also apply:

1. The County Attorney position shall remain a full-time position with no private practice allowed.
2. The Public Defender position shall remain full-time.
3. The Deputy Public Defender position shall remain discontinued.
4. The County on an annual basis during the term of this Resolution reserves the right to contract out or enter into an agreement with an Elected Official or officials who are qualified to serve as a budget-making authority as may be approved by the Board. It is the intent of the York County Board that if an agreement is made with an Elected Official, that such agreement shall not constitute an increase in the herein adopted salary but shall be and is a part of the agreement. If the Board contracts with an Elected Official to serve as the budget making authority, that official shall be allowed an additional amount not to exceed \$1,500.00 for performing those duties.
5. Be it further resolved that in addition to the above stated salaries, each County Official shall receive benefits as provided in the York County Employee Manual consisting of health insurance, life insurance, disability insurance and retirement benefits.
6. Cost of living adjustments for purposes of this Resolution are defined as the Midwest Consumer Price Index (CPI) as established by the Bureau of Labor Statistics, U.S. Department of Labor.

Dated this 15th day of December, 2009.

The Board then set the salary for the County Commissioners for 2010.

Moved by Bulgrin, seconded by Neujahr to adopt Resolution #09-87 adjusting the Commissioners salary to \$20,810.91 based on the CPI and the resolution passed in 2007; roll call: yeas, Bulgrin, Neujahr, Bergen, Bredenkamp and Brown; nays, none; motion carried.

RESOLUTION #09-87

WHEREAS, the salaries for elected officials are set prior to the beginning of the term, and

WHEREAS, Resolution #07-81 adopted on December 4th, 2007 stated that the County Commissioner shall receive an increase based upon the salary for 2009 plus an additional annual increase based on the CPI or 2.5%, whichever is greater, however, said increase shall not be greater, than 3%. Because the CPI is now at a negative %, the increase will be set at 2.5% as per resolution.

NOW THEREFORE BE IT RESOLVED, that the salary for the York County Board of Commissioners be set at \$20,810.91 for the year 2010 to take effect January 1, 2010.

Dated and signed this 15th day of December, 2009.

Also, at this time, the salary for the Commissioners for the term of 2011 and 2012 must be set.

Moved by Neujahr, seconded by Bredenkamp to adopt Resolution #09-88 to set the salary for the County Commissioners for 2011 at \$20,810.91 and for 2012 use the Consumer Price Index from a "O" to 3% with a \$350.00 stipend for the Chairman; roll call: yeas, Neujahr, Bredenkamp, Bergen, Bulgrin and Brown; nays, none; motion carried.

RESOLUTION #09-88

WHEREAS, the York County Board of Commissioners met at its regular meeting on December 15, 2009 and discussed the issue that came before the Board concerning the setting of Commissioners salaries for the next term.

BE IT RESOLVED, that the salary for the York County Board of Commissioners for the year as specified shall be as follows:

YEAR	SALARY
2011	\$20,810.91
2012**	

**Annual adjustments for 2012 will be based on the Midwest Consumer Price Index as established by the Bureau of Labor Statistics, U.S. Department of Labor except when the CPI falls below "0" in any year, in which case the annual adjustment will be no less than "0" and except when the CPI raises above 3% in any year, in which case the annual adjustment will be no more than 3%. The Chairman of the County Board shall receive in addition to the salaries specified above an additional \$350.00 per year for the responsibilities placed on him or her as the Chairman in executing the duties of the Chairperson. Said increase shall take effect on January 1.

BE IT FURTHER RESOLVED, that in addition to the above stated salaries, each Commissioner shall receive benefits as provided in the York County Employee Manual consisting of health insurance, life insurance, disability insurance and retirement benefits.

Dated this 15th day of December, 2009.

Annually, the Board must set the amount of surcharge for the enhanced 911 service.

Moved by Bredenkamp, seconded by Neujahr to adopt Resolution #09-89 to continue the \$1.00 surcharge for the 911 service; roll call: yeas, Bredenkamp, Neujahr, Bergen, Bulgrin and Brown; nays, none; motion carried.

RESOLUTION #09-89

WHEREAS, the York County Board of Commissioners recognizes that it is necessary to continue to raise revenue to fund a development of the Countywide Emergency Communication System which System shall provide countywide operation of enhanced 911 services; and

WHEREAS, the York County Board of Commissioners adopted Resolution #44 on August 30, 1994, which authorized the imposition of a surcharge for the purpose of raising revenue to fund the development of a Countywide Emergency Communication System in an amount not to exceed 50 cents per month on each local exchange access line physically terminating in the York County Service area; and

WHEREAS, the York County Board of Commissioners adopted Resolution #41 on the 30th day of August 2005, authorizing an additional surcharge of 50 cents per month for each local access line physically terminating in the York County Service area; and

WHEREAS, the initial 50 cents surcharge as enacted in 1994 plus the supplemental surcharge enacted in 2005 resulted in a total annual surcharge of \$1.00 per month for each local access line physically terminating in York County Service area;

NOW, THEREFORE, BE IT RESOLVED that the surcharge previously imposed by Resolution #44 of 50 cents per month for each local access line physically terminating in the York County Service area and the additional 50 cents per month surcharge for each local exchange access line physically terminating in the York County Service area shall continue to be in effect and collected until January 1, 2011.

Dated this 15th day of December, 2009.

Due to the resignation of Deputy County Attorney, Ryan Mick, County Attorney Tim Sieh conducted interviews and appointed Bill Sutter to fill the position as Deputy County Attorney. At this time he has brought it before the Board for their approval and to set the salary.

Moved by Bulgrin, seconded by Bredenkamp to adopt Resolution #09-90 to approve the appointment of Bill Sutter as Deputy County Attorney and to set his salary at \$45,000; roll call: yeas, Bulgrin, Bredenkamp, Bergen, Neujahr and Brown;

nays, none; motion carried.

RESOLUTION #09-90

WHEREAS, the York County Attorney, Tim Sieh, has appointed Bill Sutter to the position of Deputy York County Attorney to fill the opening resulting from the resignation of Deputy County Attorney Ryan Mick; and

WHEREAS, Bill Sutter is licensed to practice law in the State of Nebraska and is otherwise qualified to fill the appointment as Deputy York County Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the County Board hereby approves and consents to the appointment of Bill Sutter to the position of Deputy County Attorney for York County, Nebraska effective December 15, 2009 with an annual salary for this position in the sum of \$45,000.00.

Dated this 15th day of December, 2009.

Further information regarding the purchase of a building to house the Four Corners Health Department was given. The Board was informed that there is also a building available in Seward County. A proposal to Four Corners Health Department for purchase of a building by the County and the City of York was reviewed. The Board determined that further information must be obtained prior to making a decision. The matter will be tabled until the next regularly scheduled.

Brenda Scavo, County Treasurer requested the release of a custody receipt with York State Bank in the amount of \$250,000. and to approve a custody receipt with York State Bank in the amount of \$250,000.

Moved by Bredenkamp, seconded by Neujahr to adopt Resolution #09-91 releasing custody receipt with York State Bank CUSIP# 986356CN2 in the amount of \$250,000; roll call: yeas, Bredenkamp, Neujahr, Bergen, Bulgrin and Brown; nays, none; motion carried.

RESOLUTION #09-90

WHEREAS, York State Bank & Trust was heretofore designated as a depository for County Funds and to secure the same from time to time, has heretofore deposited in escrow, certain securities, which have from time to time with the approval of the County Board been submitted for other securities; and

WHEREAS, at this time there are on deposit with said First National Capital Markets of Omaha, Nebraska in escrow, to secure the County deposits in said York State Bank & Trust the following security:

Security Description: York Co. NE. School District #12 Refunding Bonds Series 2003—held at First National Bank of Omaha
Cusip: 986356CN2
Maturity Date: 5/15/2010
Issue Date: 6/5/2003
Pledged Amount: \$250,000.00

BE IT THEREFORE RESOLVED that the depository receipts heretofore filed with the County Clerk covering the above described securities, be and hereby are cancelled and discharged, and the County of York hereby releases the said First National Bank of Omaha Escrow Agent from all liability by reason of the surrender of the said bonds and hereby authorizes and empowers the County Treasurer to surrender the Depository Receipt covering said securities to York State Bank & Trust.

DATED this 15th day of December, 2009

Moved by Bredenkamp, seconded by Bulgrin to adopt Resolution #09-01 approving a custody receipt with York State Bank in the amount of \$250,000. CUSIP #3133XVSV4; roll call: yeas, Bredenkamp, Bulgrin, Bergen, Neujahr and Brown; nays, none; motion carried.

RESOLUTION #09-91

WHEREAS, York State Bank was heretofore designated as a depository for county funds and to secure the same from time to time, has heretofore deposited securities with First National Capital Markets of Omaha, NE.

BE IT THEREFORE RESOLVED, that the deposit of securities heretofore made to secure the County deposits with said York State Bank be and the same is hereby approved and that the Depository Receipt herewith filed with the County Clerk covering the following described security be approved:

First National Capital Markets
Security Description: Federal Home Loan Bank
Maturity Date: 11/18/2014
CUSIP: 3133XVSV4
Rate: 2.70000
Pledged amount: \$250,000.00

DATED this 15th day of December, 2009.

The Safety Committee met several weeks ago and found that a change needed to be made to the York County Handbook which speaks of small appliances. It was found that electrical fans do not present a danger if they are left plugged in.

Moved by Neujahr, seconded by Bergen to take electric fans off the small appliance list which requires that they be unplugged when left unattended for more than one hour; roll call: yeas, Neujahr, Bergen, Bredenkamp, Bulgrin and Brown; nays, none; motion carried.

The Road Department is funded in part by a percentage of tax dollars out of the General Fund. At this time it is necessary to determine the percentage of the budget which is necessary for said funding.

Moved by Bulgrin, seconded by Bredenkamp to adopt Resolution #09-92 transferring funds from the General Fund to the Road Fund in the percent of 38.672 of the 2009 property taxes collected; roll call: yeas, Bulgrin, Bredenkamp, Bergen, Neujahr and Brown; nays, none; motion carried.

RESOLUTION #09-92

WHEREAS, the York County Board of Commissioners at its regular meeting on December 15, 2009, discussed the fact that on September 8, 2009, the budget for the General Fund was adopted in the amount of \$6,839,939.58 with revenue from property taxes being in the amount of \$3,878,731.00; and

WHEREAS, the County Road budget was adopted in the amount of \$3,781,380.16 with \$1,500,000.00 or 38.672% of the revenue for operating expenses coming from property taxes.

NOW BE IT RESOLVED, that the York County Treasurer shall transfer 38.672% of the 2009 property tax collected from the County General Fund to the County Road Fund as per the adopted budget.

DATED this 15th day of December, 2009.

Committee reports were given.

Cynthia D. Heine, York County Clerk and Sharilyn Ramsey, Clerk of the District Court submitted their November, 2009 fee report in the respective amounts of \$23,254.62 and \$1,546.08. The reports were reviewed and placed on file.

Brenda Scavo, County Treasurer submitted the fund balances as of November 30, 2009.

General	\$851,081.95
Road	\$602,519.42
JV Diversion	\$5,095.19
Data Processing	\$5,301.20
Unemployment Security	\$8,823.56
Area on Aging	\$39,553.11
Relief & Medical	\$26,891.23
State Institutions	\$4,717.10
Veterans Aid	-0-
Busy Wheels	\$7,123.08
STOP	\$10,611.06
Drug Testing	\$5,223.02
Debt Service	\$195,535.99
Inheritance Tax	\$1,559,609.59
Emergency Mgmt	\$37,853.43
Law Enforcement Operations	\$19,712.04
Courthouse Bldg	\$1,116.83
Handicapp Access	\$8,190.36
Noxious Weed	\$11,588.56
Ambulance	\$55,196.07
911 Emergency	\$48,615.30
CDBG	\$7.40
Visitors Impr Fund	\$159,567.11
Visitors Promotion	\$39,349.22

The Chairman declared the meeting adjourned at 1:09 p.m. The next regular meeting will be December 29, 2009 at 8:30 a.m. with Elected Officials/Department Heads; 9:20 a.m. with the General Assistance Administrator and 9:35 a.m. in the County Commissioners Room, lower level of the Courthouse for the regularly scheduled meeting.

Augustus M. Brown, Jr., Chairman
York County Commissioners

Cynthia D. Heine, County Clerk
York, Nebraska